IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.16281 of 2008
ABDUL KHALIQUE
Versus
STATE OF BIHAR

2/ 1305.2008 Heard the learned Counsel for the parties.

The petitioner is an accused under Section 304 (B) of the Indian Penal Code his prayer for bail was rejected. Considering the fact that he is the husband of the deceased.

Submission of the learned Counsel for the petitioner is that the petition under Section 319 Cr.P.C. was filed. That matter was challenged before this Court. Vide Annexure-5 which is the order dated 02.01.2008 in Cr. Misc. No. 48606 of 2007 this Court has stayed the proceedings of Sessions Trial No.219 of 2005. So there is no possibility of the case being concluded within near future. The petitioner is in custody since 9th October, 2004.

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Considering the facts and circumstances of the case, the petitioner Abdul Khalique is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Trial Court i.e. 3rd Additional Sessions Judge, East Champaran, Motihari in connection with Trial No. 219 of 2005 arising out of Dhaka P.S. Case No. 112 of 2004.

kksinha/ **(Shyam Kishore Sharma, J.)**